

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
EASTERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

No. CR00-1015

ROBERT FRANK

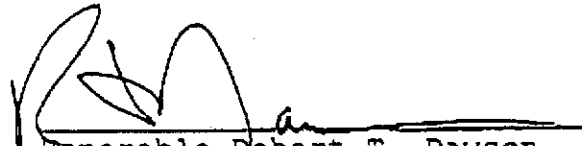
DEFENDANT

ORDER

On this 30th day of August 2005, there comes on for consideration the Report and Recommendation filed in this case on July 19, 2005, by the Honorable John A. Jarvey, United States Magistrate for the Northern District of Iowa. (Doc. 358). On August 19, 2005, Defendant filed objections to the report and recommendation. (Doc. 364).

The Court has reviewed this case *de novo* and, being well and sufficiently advised, finds as follows: the Report and Recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, Defendant's motion for relief under 28 U.S.C. § 2255 (Doc. 318) is DENIED and the United States Probation Office is directed to amend the judgment in this case to reflect Mr. Frank's conviction under Count 49 of the indictment rather than Count 47.

IT IS SO ORDERED this 30th day of August 2005.


Honorable Robert T. Dawson
United States District Judge